

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

CERTAINTEED CORPORATION : CIVIL ACTION

V. :

BOISE CASCADE CORPORATION : NO. 02-2677

O R D E R

AND NOW, this 17th day of June, 2004, upon consideration of defendant's motion for summary judgment on plaintiff's claim for common law trademark infringement (Document No. 67) and the parties having advised the court that they have reached a tentative settlement, **IT IS HEREBY ORDERED** that the motion is **DISMISSED AS MOOT** without prejudice to the right of the defendant to reinstate the same on letter request in the event that the settlement is not finalized.

William H. Yohn, Jr., Judge